

# South Carolina Board of Economic Advisors

## Statement of Estimated State Revenue Impact

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**Date:** February 28, 2007

**Bill Number:** S.B. 38 (Joint Resolution)

**Authors:** Ford; Knotts

**Committee Requesting Impact:** Senate Judiciary Committee

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### Bill Summary

A joint resolution proposing an amendment to Section 34, Article III of the Constitution of South Carolina, 1895, relating to the prohibition against the General Assembly from enacting local or special laws, so as to authorize the operation or possession of any type of coin-operated amusement or gaming machine or device in a county upon the enactment of an ordinance authorizing such operation or possession, upon the favorable vote of a majority of the members of the county's legislative delegation, or by a petition signed by five percent of the county's registered electors subject to a favorable referendum.

### REVENUE IMPACT <sup>1/</sup>

This joint resolution would not have an impact on state or local General Fund revenue in FY2007-08.

### Explanation

This bill would allow a referendum to be put before the qualified electors of a county during the next general election for representatives, to amend Section 34, Article III of the Constitution of South Carolina, to allow the operation or possession of any type of coin-operated amusement or gaming machine or device in that county. The Constitutional amendment would ensure that individuals would not be in violation of Article VIII, Section 14(5) of the Constitution allowing the operation or possession of a video poker machine as a criminal offense under the general provisions of law. A vote "yes" would permit the legal operation and possession of video poker machines in that county. A vote "no" would maintain that the legal operation and possession of video poker machines remains illegal in that county. If a majority of the qualified electors approves the Constitutional amendment, the county would have to adopt an ordinance to authorize the operation and possession of video poker machines in that county. Because there is no enabling legislation that changes any taxes or fees, and the earliest the referendum could be put before the qualified electors of a county is November 2008 this bill is not expected to have an impact on General Fund revenue in FY2007-08.

/s/ WILLIAM C. GILLESPIE, PH.D.

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Chief Economist

**Analyst:** Martin

<sup>1/</sup> This statement meets the requirement of Section 2-7-71 for a state revenue impact by the BEA, or Section 2-7-76 for a local revenue impact or Section 6-1-85(B) for an estimate of the shift in local property tax incidence by the Office of Economic Research.